

AMENDED
APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office OCT 12 2006
Returned to applicant for correction OCT 25 2006
Corrected application filed NOV 01 2006
Map filed NOV 01 2006

The applicant **John D. Fleming** hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **Madelina Springs**
2. The amount of water applied for is **7.0** second feet.
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **Irrigation**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated **435**
 - (b) Stockwater, state number and kind of animals to be watered
 - (c) Other use (describe fully under No. 12. "Remarks")
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point **NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 2 T. 24 N., R., 63 E., M.D.B. & M., whence the Northeast Corner of said Section 2 bears N. 84° 44' 07" E., 2,089.96 feet in distance.**
6. Place of Use **The S $\frac{1}{2}$ of Section 1, T. 24 N., R. 63 E., M.D.B. & M. ; Lot 7 of Section 6 N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 7 T.24 N., R. 64 E., M.D.B. & M. (435 Acres)**
7. Use will begin about **January 1st** and end about **December 31st** of each year.
8. Description of proposed works **Water will be diverted at the source and put into ditches then the fields will be flood irrigated.**
9. Estimated cost of works **\$30,000.00**
10. Estimated time required to construct works **5 years**
11. Estimated time required to complete the application of water to beneficial use **8 years**

74907

12. Remarks:

By **s/ Dean Neubauer**
Dean Neubauer, P.L.S.
824 East Aultman Street
Ely, Nevada 89301

Compared sc/gkl

Protested _____

DENIAL OF STATE ENGINEER

This application is hereby denied on the grounds that there is insufficient water generated by this source to satisfy its proposed manner of use.

IN TESTIMONY WHEREOF, I, **TRACY TAYLOR, P.E.**,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 11th day of August, A.D. 2008

Tracy Taylor P.E.
State Engineer